

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

WILLIAM BLAKE,

\*

Plaintiff

\*

v.

\* Civil Action L07-CV-50

BALTIMORE COUNTY, MARYLAND, et al.,

\*

Defendants

\*

\* \* \* \* \*

MOTION TO COMPEL DISCOVERY

Plaintiff William Blake, by his undersigned counsel, hereby moves to compel defendant Baltimore County to answer discovery, under Rules 33 and 34.

On March 8, 2007, plaintiff propounded interrogatories and a request for production of documents on defendant Baltimore County. After repeated requests, defendant provided Answers to Interrogatories on April 16, 2007. However, defendant failed to respond to interrogatories 12, 13, 14, 15, 16, and 17, citing its pending Motion to Bifurcate. There is no such permissible basis for withholding discovery. Further, as to interrogatories 7, 9, 12, 18, 19, and 20, defendant relied upon documents "which have been produced on this same date." See Answer to Interrogatory 9. But no documents were provided.

Finally, the Request for Production of Documents propounded on March 8, 2007, has gone unanswered in its entirety.

This case is on an expedited discovery schedule at defendants' urging.<sup>1</sup> As such, this failure to respond to discovery requests prejudices plaintiff's ability to prepare for his deposition and to vigorously pursue his own discovery. Accordingly, plaintiff Blake urges that defendant Baltimore County be ordered to produce all discovery immediately, and that it be precluded from filing objections to the discovery requests, at this late hour. Plaintiff also seeks any necessary modification of the Scheduling Order, and the postponement of his deposition until he has had adequate time to prepare with all discovery responses in hand. It would be patently unfair to require plaintiff to face his deposition while defendant withholds critical discovery responses. Plaintiff also requests such additional relief as the Court deems appropriate.

**CERTIFICATE OF GOOD FAITH EFFORTS**

I certify that I engaged in good faith efforts on April 10 and 11, 2007 to obtain defendant's compliance with the discovery requests prior to seeking court action.

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<sup>1</sup> Plaintiff had intended to take depositions on May 9, 10 and 11. Defendant has noticed the deposition of plaintiff Blake for May 18.

/S/

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Counsel for Plaintiff

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\* \* \* \* \*

ORDER

UPON CONSIDERATION of the Motion to Compel Discovery,  
any Opposition thereto, and the applicable law,

IT IS HEREBY ORDERED this \_\_\_\_ day of \_\_\_\_\_,  
2007, that the Motion to Compel Discovery is GRANTED.

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Benson E. Legg,  
Chief Judge, U.S.  
District Court, Maryland

**CERTIFICATE OF SERVICE**

I hereby certify this 20th day of April, 2007, that I served electronically and by first class postage pre-paid a copy of the Motion to Compel Discovery, and proposed Order to:

Jeff Cook  
Assistant Baltimore County Attorney  
400 Washington Avenue  
Towson, Maryland 21204

/S/

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Kathleen Cahill